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August 13, 2021

VIA ECF

Hon. Margo K. Brodie
225 Cadman Plaza East
Courtroom: 6F
Brooklyn, New York 11201

**Re: Oak Financial Group, Inc. v. Infinity Q Diversified Alpha Fund, et al.
Civ Action No. 1:21-cv-03249-MKB-CLP**

Dear Judge Brodie:

We are counsel for the Oak Financial Group, Inc. ("Plaintiff") in the above-referenced action. We write jointly on behalf of counsel for defendants Trust for Advised Portfolios, Christopher E. Kashmerick, Russell B. Simon, Steven J. Jensen, Infinity Q Capital Management LLC, Leonard Potter, Bonderman Family Limited Partnership, LP, John C. Chrystal, Albert J. DiUlio, S.J., Harry E. Resis, James Velissaris, Infinity Q Management Equity, LLC, Scott Lindell, Quasar Distributors, LLC, and EisnerAmper LLP (collectively, "Defendants") to request that the Court so-order the enclosed stipulation and proposed order as to the Defendants' time to move, answer or otherwise respond to the Complaint.

On June 8, 2021, Plaintiff commenced this action by the filing of a Complaint against the Defendants. In light of pending motions to dismiss (the "Motions to Dismiss") filed by the Defendants in a putative class action pending in the Supreme Court of the State of New York, New York County entitled: *In re Infinity Q Diversified Alpha Fund Securities Litigation*, Index No. 651295/2021 (the "State Class Action"), which involves the same subject matter as the Complaint and contains overlapping claims and Defendants, in the interests of efficiency and judicial economy, the parties have conferred and agree that the time to respond to the Complaint in this action should be deferred until resolution of the Motions to Dismiss. Counsel for the Defendants also agreed to accept service of the Complaint on behalf of the Defendants.

Accordingly, the parties have entered into the enclosed stipulation and proposed order which sets forth the parties' agreement as to the Defendants' time to move, answer or otherwise respond to the Complaint. The parties respectfully request that the Court so-order the enclosed stipulation. This is the first request by the parties for an extension of the time to answer and/or respond to the Complaint.

TO: HON. MARGO K. BRODIE

DATE: AUGUST 13, 2021

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Thank you in advance for your consideration of this request.

Respectfully,

A handwritten signature in black ink, appearing to read 'SMK', written over a horizontal line.

Steven M. Kaplan

SMK/aj

Cc: Counsel for Defendants (via e-mail)